

United States District Court Eastern District of Michigan

United States of America
V.
NGK SPARK PLUG CO., LTD

JUDGMENT IN A CRIMINAL CASE

Case Number: 14CR20494-1
USM Number:

John M. Majoras
Defendant's Attorney

THE DEFENDANT:

■ Pled guilty to count(s) 1.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
15 U.S.C. § 1	Conspiracy to Restrain Trade	July 2011	1

The defendant is sentenced as provided in pages **2 through 5** of this judgment. This sentence is imposed pursuant to the Sentencing Reform Act of 1984

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

October 8, 2014

Date of Imposition of Judgment



s/George Caram Steeh

United States Senior Judge

October 08, 2014

Date Signed

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PROBATION

The defendant is hereby sentenced to probation for a term of: 2 years.

The defendant shall not commit another federal, state or local crime.

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

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CONDITIONS OF SUPERVISION

The defendant shall implement an effective antitrust compliance and ethics program, which, at a minimum, conforms to U.S.S.G. 8B2.1.

Defendant shall report to the Court semiannually regarding its compliance and ethics program. Those semiannual reports shall include the status of the defendant's progress in implementing the program, and specify whether or not individuals employed by the defendant who are excluded from the non-prosecution clause of the Plea Agreement have:

- a. overseen, interfered with, or otherwise participated in the defendant's continuing cooperation obligations required by Paragraphs 13 and 14 of the Plea Agreement; and
- b. influenced or adversely affected the cooperation of anyone who is a potential subject or witness in any investigation conducted by the United States.

The defendant shall report to the Court within 30 days of learning that it is the subject of any criminal prosecution, investigation, or enforcement proceeding by any federal government authority. Furthermore, the defendant shall, subject to applicable law, report to the Court and the United States Department of Justice, Antitrust Division within 30 days if it discovers, through internal or external investigations or otherwise, any evidence or allegation of any price-fixing, bid-rigging, or customer or market allocation, or similar misconduct affecting the United States not previously disclosed to the United States Department of Justice, Antitrust Division.

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CRIMINAL MONETARY PENALTIES

	Assessment	Fine	Restitution
TOTALS:	\$ 400.00	\$ 52,100,000.00	\$ 0.00

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
TOTALS:	\$ 0.00	\$ 0.00	

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

[F] Special instructions regarding the payment of criminal monetary penalties: **Special assessment of \$400 and criminal fine in the amount of \$52.1 million payable in full before the fifteenth (15th) day after the date of judgment and may be paid by wire transfer.**

Unless the court has expressly ordered otherwise in the special instructions above, while in custody, the defendant shall participate in the Inmate Financial Responsibility Program. The Court is aware of the requirements of the program and approves of the payment schedule of this program and hereby orders the defendant's compliance. All criminal monetary penalty payments are to be made to the Clerk of the Court, except those payments made through the Bureau of Prison's Inmate Financial Responsibility Program.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.